CITY MAY TAKE THE TRAMWAY

Lincoln Street Railroad Liable to Be Seized for Unpaid Taxes,

FORTY THOUSAND DOLLARS IS NOW DUE

Delinquency of Long Standing and Situation Becoming Acute-Election Certificates Not Yet Given Out by the Board.

LINCOLN, Dec. 18 .- (Special.) - Owing to the failure of the Lincoln Street Railway company to pay delinquent taxes to the amount of \$40,000, it is considered that the system will pass into the hands of the city. Two years ago the company went into the hands of a receiver, Brad Slaughter, but since then it appears to have followed. the old custom, and paid no taxes. Eventuzlly the property will pass into the hands of the bondholders, who practically have charge of it now. But to secure legal posessusion they must get it through a judicial sale. The city's tax lies will have priority over the mortgage bonds, and will be first satisfied out of the proceeds of the sale. If no purchaser appears, it may became necessary for the city of Lincoln to take the property. The chances are, however, that the bondholders will take it in, bond it, and sell

the bonds to investors. of State Piper has issued the printed abstract of votes cast at the elec-tion on November 3, including all the votes cast for state officers, supreme judges and And yet, so far, no formal report of the State Canvassing board has been filed with the governor, and the secretary of state says that it has not jet been officially signed. It is known that a resolution has been blocked out regarding the report to be made on the amendments and the vote on supreme judges, but there appears to be a deadlock in the board concerning it, and the secretary of state will not divulge its Import. The certificates of election of all state officers, with the exception of the supreme judges, have been filled out and signed in the governor's office, but none of them has been sent out yet

scercturies of the State Board of Health held a meeting yesterday at the office of Superintendent Corbett. There were present Drs. B. F. Bailey of Lincoln, J. Beghtol of Friend, F. D. Halderman of Ord and C. F. Stewart of Auburn. The following were granted certificates to practice medicine in the state: Dr. F. E. Lilliendohl of Omaha, B. H. Clark of Graff, H. McCrey of South Sloux City, T. Mellen of Fullerton, and H. L. Finley of

The State Board of Irrigation has handed down decisions as follows: Farmers' irrigation ditch, Dawson county, claim for water from the Platte river allowed; Booker ditch, Dawson county, claim for water from the Platte river allowed.

Mayor Graham today announced himself as a candidate for re-election in a formal statement in an evening paper. He said: "I believe that when my administration of city affairs is examined the taxpayers will od that I have looked after matters carefully and economically. The hard times have made it rather difficult to make the kind of financial showing I should desire Taxes are about the last thing path when times are hard, and this has had a bad effect on the city's revenues. I have, however, tried to make the cost of governent as low as possible; men have been cut off in the various city departments wherever was possible to do so, and I think that will be found that a considerable saving has been made in the running expenses of

A mass meeting of citizens in sympathy with Cuba has been called to meet to-morrow night at the Lindell hotel. The call has struck a popular chord, and a large outpouring of people is expected.

The state officers-elect, residing in Linleft today for Omaha to participate

In the banquet tendered them by the Omaha Commercial club this evening, Governor Holcomb went up on the early train this morning. Private Secretary Maret and the son, who had received special invitations left at 2:15 p. m.
Articles of incorporation were filed today

with the secretary of state of the Brick Manufactory and Building association of Omaha. The capital stock is \$50,000, and incorporators are Henry, John L. and Edwin Livesoy. Omaha people in Lincoln: At the Lindell

-F. S. Lewis, H. B. Tomson. At the Capital-T. R. Andrews. At the Lincoln-H. J. Root, J. R. Andrews, C. D. Potts, B. H

VERY QUICK TO USE HIS REVOLVER

Plattsmouth Boy Shot in the Neck by n Deputy Jailer. PLATTSMOUTH, Neb., Dec. 18.—(Special.)

-Last night Ross Little, a young man, was shot in the neck by Jailer Halloway while prowling around the jail. A couple of prostitutes, who are inmates of the city jail, have attracted quite a number of young men around the place for the past few nights, to the great annoyance of the jailer and of the neighborhood and the former determined to put a stop to it. Little was greatly under the influence of liquor. and after being told to go away, went around to the rear window and began to pound upon the iron hars. Jailer Halloway was at an unstairs window, and snapped his revolver at the intruder twice, with the inten-tion of scaring him. At the third snap the weapon went off, and Little received the ball in the neck, the missile taking a downward course and lodging somewhere in his back. He was taken home and a physician sent for, who states that the wound is not

Bryan Will Visit Chicago. LINCOLN, Neb., Dec. 18.-1t was learned today that William J. Bryan will leave here in a day or two, intending to go to Chicago for a brief visit, reaching there Monday

CHICAGO, Dec. 18 .- The dispatch from Lincoln, Neb., about the contemplated visit of Mr. Bryan to this city was confirmed here. President-elect McKinley will be in Chicago Monday, but it is not likely that he will meet Mr. Bryan. So far as now known, no reception is to be given Mr. Bryan while here. His coming is known but few at this time and a public demor stration has not been suggested.

Woodmen at Dunbar Entertain DUNBAR, Neb., Dec. 18 .- (Special.) The members of local Woodman camp, No. 2024, crowded the town hall last evening with their wives and sweethearts. A literary program consisting of duets, solos, and

We wish we could make everybody believe that promptness is prevention; that there should be no delay when you are losing flesh and when you are pale, especially if a cough be present. The continued use of Scott's Emulsion in the early stages of lung affections does prevent the development of Consumption. Your doctor will tell you this is true and we state it without wishing to make any false claims or false promises. Free book tells more on the subject.

SCOTT & BOWNE, Chemists, New York.

recitations was well rendered to an appreciative audience. The address of the evening was delivered by W. H. Parkhurst. After the program the large gathering sat down to a sumptuous supper prepared by the wives of the Woodmen. During supper the Mandolin club rendered several choice selections of music.

WILL CAUSE LAWYERS TROUBLE. Sharp Practice of Attorneys in Secur-

Ing Compromise Fees.
BEATRICE, Dec. 18.—(Special Telegram.) -The appeal case in the matter of the George E. King Bridge company warrants took a rather unexpected turn in the district court this afternoon. Warrants to the amount of \$25,000 bad been ordered drawn in favor of the bridge company, and a local attorney appealed the matter in the name of In the meantime the company and the board had agreed upon a settlement whereby the county would save about \$6,000. The atterney succeeded in getting a temperary bijunction restraining the board from

settling until his appeal was beard. court today sustained a motion to dismiss the injunction, ordered a judgment rendered in favor of the bridge company for \$18,000, that being the amount agreed upon, and made an entry upon to institute advising the county attorney to institute and made an entry upon the record disbarment proceedings against the attorney-L. A. Smith-and any other attorneys who had tied up claims due from the county for the purpose of obtaining a compromise fee, the court making the statement that the proceedings in this matter had been entirely too rank to be overlooked.

At least one legal light besides Smith will probably be included in the disbarment proceedings.

Getting Out the Corn Crop. DUNBAR, Neb., Dec. 18.-(Special.)-Corn has been husked in all fields except that which is on very low ground, the ground being so soft that a team can hardly pull an empty wagon. But the cold weather of yesterday and today has frozen the ground sufficiently to hold up a loaded wagon, hence Christmas will see all the corn in this vicinity husked. More is on the ground in piles this year than ever before, which will necessitate imme diate delivery in large quantities.

Declamatory Contest. UNIVERSITY PLACE, Neb., Dec. 18 .-(Special.)-The annual declamatory contest of the Nebraska Wesleyan university was

given in the chapel last evening. Eight contestants appeared, four girls and four boys. All of them spoke creditably, Miss Bessle Gearheart won the first prize and P. J. Lawson secured second place. The first prize consisted of one half term of elecution lessons, valued at \$15; the second one half term class elecution lessons, valued Litigation at Nebraska City.

NEBRASKA CITY, Dec. 18 .- (Special.)-The Western Newspaper union was given a verdict for \$3 against Reed & Co, by a jury in the district court today. It asked for \$22, but was awarded the above amount by the jury, after being out nearly all night.

The case of Patrick Moran against the Missouri Pacific for damages was settled and dismissed without a trial.

Guilty of Burglary. BEATRICE, Dec. 18 .- (Special.)-The jury in the Browning burglary case was sent out at 6 o'clock last evening and at 11 o'clock eturning a verdict of "guilty as charged in the information." S. Fritch's tailoring establishment was robbed on the night of April 2, twenty-seven pieces of goods being taken. Browning was followed to Atchison. Kan., and the goods found upon his premises. A motion for a new trial will be made.

North Bend Merchant Fails. NORTH BEND, Neb., Dec. 18.-(Special.) The general merchandise store of A. Pellar & Co. was closed this morning under chattel mortgage in favor of the Bank of North Bend. Liabilities, \$7,000; assets, about the

same. Preparing to Please the Children. DUNBAR, Neb., Dec. 18,-(Special.)-The Christian Endeavor and the Christian Union have united and will give a union Christmas tree on Christmas eve. A fine literary program is in course of prepara-

PENSIONS TO WESTERN VETERANS Survivors of the Rebellion Remem-

bered by the General Government. WASHINGTON, Dec. 18 .- (Special.) -- Penions granted, isue of December 1, were. sions granted, isue of December 1, were.
Nebraska: Original—Thomas J. Weatherby, Seward, Seward; Oscar F. Scovill, Nemaha, Nemaha,
South Dakota: Reissue—William D. Stiles,
Sloux Falls, Minnehaha.
Colorado: Original widows, etc.—Mary J.
Ray, South Denver, Arapahoe,
Iowa: Increase—Charles W. Meyers, Clinton Clinton.

towa: Increase—Charles W. Meyers, Chinton, Clinton.
Issue of December 2 were:
Arizona Territory: Original—William W.
Hall, Phoenix, Maricopa.
Iowa: Original—Clarence E. Rogers, Ruthven, Palo Alto; William H. Shoemaker, Sharpsburg, Taylor; David Roop, Danbury, Woodbury, Increase—David R, Knight, Kellogg, Jasper; Jonathan V. Watson, Shelby, Shelby; Samuel F. Dunagan, E. Des Moines, Polk, Original widows, etc. (special December 5)—Elizabeth Cline, Coin, Page; Mary E. Fox, Duniap, Harrison.
Colorado: Original—Willis J. Estep, Denver, Arapahoe, Reissue—Frank Williams, Pueblo, Pueblo.
Utah: Mexican war widows—Sarah Hen-

Utah: Mexican war widows—Sarah Hen-dricks, Logan, Cache. Washington: Original—John Anslow, Sid-nov Witson.

Washington; Original—John Anslow, Sidey, Kitsap.

Issue of December 3 were; Nebraska; briginal—John M. McFadden, Clay Center, Ilay; Williard R. Smith, Beatrice, Gage, Interease—James H. Lynch, Firth, Lancaster; William Shatswell, Genoa, Nance, Original widows, etc.—Caroline M. Gooding, Sranklin, Franklin, Iowa; Original—Alvin White, Marshallown, Marshall, Additional (special Dec. 7)—William Arso, Spring Valley, Decatur; James N. Weller, Villisca, Montgomery, Interease—Thomas H. Taylor, Des Moines; Pownson R. Jones, Bedford, Taylor.

South Dakota; Original widows, etc. (special Dec. 7)—James Kenny, mother, Devoe, Faulk, Washington, Interease—Lyse D. Smith, Sun

Wyoming: Increase—Jesse D. Smith, Sun- be

Wyoming: Increase—Jesse D. Smith, Sundance, Crook.
Issue of December 4 were:
Nebraska: Original—Benjamin Ford,
Omahn; Adam Rasley, Niobrara, Knox. Additional—John A. Forbes, Beatrice, Gage,
Iowa: Original—Robert Carroll, Castana,
Monona; Charles A. Smith, Wayne, Henry,
Additional—John P. Dinges, Atlantic, Cass,
Increase (special, Dec. 8)—James Young,
Ironhille, Jackson; William C. Sanders, Wapello, Louisa; Daniel Whetstine, Wellman,
Washington, Original widows, etc.—Julia A.
Pugh, West Grove, Davis,
Colorado: Original—Nicanor Romero,
Trinchera, Las Animas.

STEAMERS HAVE A ROUGH PASSAGE.

Passengers on the Germanic Are Badly Shaken Up. NEW YORK, Dec. 18.—The steamship Germanic arrived at her dock today after a had been received from these counties it was the duty of the board to send a mesparticularly rough passage. The log shows that on Wednesday she ran into "a whole board in taking an adjournment and send-gale" from the northeast. No damage was ing for the returns is "not only legal, but sustained by the steamer, but the passengers were badly shaken up. H. Thorpe was thrown violently out of bed and sustained a slight injury to his spine. D. S. Taylor, while walking across the smoking room, was thrown with great force against the walnscotting and was badly cut over the right eye. Miss L. B. Sare of London, Ont., and a writing desk at which she was seated were sent flying across the room. The young woman was severely injured by striking

against the door. Before 9 o'clock tonight ten steamships, coasters and transatiantic liners passed Sandy Hook and steamed up to their docks. All of them said they had encountered rough weather and their captains told of fatiguing fights against heavy seas and winds. None of them were injured in the conflict with the elements, but all were more or less behind the schedule time.

Farmer Murdered by His Wife. LAWRENCE, Kan., Dec. 18.-Last night while looking out of a window at his home, five miles west of here, August Bierman, a farmer, was shot in the back by his wife and instantly killed. The woman then turned the revolver on herself and tried to commit suicide. She inflicted a serious but not fatal wound in the left breast. After being arrested Mrs. Bierman said farmer, was shot in the back by his wife and instantly killed. The woman then turned the revolver on herself and tried to commit suicide. She inflicted a serious but not fatal wound in the left breast. After being arrested Mrs. Bierman said she did not love her husband and had no regrets for what she had done.

As wiful authority or inherent power to characterize the same as ministerial or lay its coercive hand thereon. Therefore, for constitutional reasons and from consideration of sound public policy and of urgent political necessity, the strongest current of judicial authority or inherent power to characterize the same as ministerial or lay its coercive hand thereon. Therefore, for constitutional reasons and from consideration of suitable political necessity, the strongest current of judicial authority or inherent power to

South Dakota Supreme Court Interprets the Law on the Subject.

FULL RETURNS THE BASIS OF ALL ACTION

Some Difference of Opinion, However, as to the Exemption of the State's Executive from Man-

damus Proceedings.

PIERRE, S. D., Dec. 18,-(Special)-Though the election contest proceedings have been settled by the canvassing board receiving the full returns and Issuing the certificates to the populists, some interest naturally attaches to the decision of the court in the mandamus cases touching the refusal of the board to issue certificates on incomplete returns.

Each member of the supreme court reada separate opinion on the mandamus case of Richard J. Woods against Charles H. Sheldon, governor of South Dakota, and Thomas Thorson, secretary of state of South Dakota. The opinions, while on different lines all sustain the action of the officials in refusing to issue certificates to electors on an incomplete canvass of the state.

The opinion of Presiding Judge Corson first reviews the demurrers filed in the ease, and overrules both that filed defendant and that by the plaintiff. Holding, 'As the only ground of the demurrer that the affidavit does not state facts suf ficient to constitute a cause of action, the question of the jurisdiction of this court is not raised"—and need not be decided in

this proceeding. In the discussion of the main case pre 1890, defining the duties of the state canvassing board in the canvass of the electoral rote, then states:

DUTIES OF THE OFFICERS.

DUTIES OF THE OFFICERS.

This section is somewhat vague and indefinite and in order to fully understand the meaning of the section and the duties imposed upon the governor and the secretary of state, it will be necessary to examine other sections of the act.

The first section specifies the manner in which the county board of canvassers shall be organized, and their duties. The second specifies the duties of the county auditor in transmitting abstracts to the secretary specifies the duties of the county auditor in transmitting abstracts to the servetary of state. And section 4 provides that "if the returns are not received by the secretary of state, within twenty days after election, he shall send a messenger for them." While section 3 does not specifically provide that the canvass shall be of all the votes from all the counties, such a duty is necessarily implied from the duty imposed upon them to canvass the yote. It

is necessarily implied from the duty imposed upon them to canvass the vote. It is clearly the duty, therefore, of the governor and secretary of state to canvass all the votes from all the counties of the state, and until that duty has been performed, if the purported returns are obtainable, there is no authority on the part of those officers to make any declaration tainable, there is no authority on the part of those officers to make any declaration of the result of the votes cast at the state election or to issue certificates of election to any candidate for presidential elector. It is only to "each person duly elected" that the governor is authorized to give the certificate of election. And the canvassers can only determine who is "duly elected" after a full canvass of all the votes cast in all the countles of the state, if duly authenticated returns are obtainable.

able.

The canvass not having been completed as required by law, and it affirmatively appearing that the returns of some of the counties of the state have not been canvassed, and the governor and secretary of vassed, and the governor and secretary of state, having taken a recess from day to day until proper and legal returns can be obtained from those countles, the question is presented as to the power of the canvassers to take such a recess, for a reasonable time, in order to obtain proper and legal returns from those countles, they are not in terms prohibited from taking such a recess and their right to so take it, in order to enable them to properly perform the duties imposed upon them by law, it seems to me, is necessarily implied and included in the powers granted. The returns, or purported returns, are sealed up by the auditor and in that condition transby the auditor and in that condition trans-mitted to the office of the secretary of

State.

By section 5 it is provided that such returns—"said abstracts"—shall be kept in
the office of the secretary of state, un turns—'said abstracts'—shall be kept in the office of the secretary of state, un opened, until the day appointed for opening them, and shall only be opened in the presence of the board. Suppose one of the envelopes, when opened, contains no certified copy or any purported copy of an abstract of the votes cast for the candidates for members of congress or presidential electors, but contains a purported copy of the abstract of county officers of the candidates or some other equally irrelevant paper, would it be seriously contended that the duty imposed upon him by law could disfranchise the electors of the county and deprive the officers actually receiving the highest number of votes at the election of their certificates of election? I apprehend not. Such a theory, if sustained, would place it in the power of a county auditor, intentionally or by accident or mistake, to destroy an election and enable parties not entitled thereto to obtain certificates of election.

POWER OF THE CANVASSERS.

POWER OF THE CANVASSERS.

As we have seen, the envelopes purport to contain the election returns, and are sealed by the auditor, and in that condition transmitted to the office of the secretary of state. When properly liftorsed the secretary of state must presume that the envelopes contain the duly authenticated returns, as he had no authority to open the envelopes except at the time of the canvassers in presence of the canvassers. He is precluded, therefore, from sending a messenger for them as provided by section 4 of the act. If when opened the envelope contains no duly authenticated copy of the abstract, are the canvassers without power to supply the proper returns? Clearly not. There must, of necessity, be vested in the abstract, in order that they may perform the duties imposed upon the law-namely, to canvass all the votes and issue to the parties having the highest number of votes the certificates to which they are entitled.

The decision then holds that the power is POWER OF THE CANVASSERS.

The decision then holds that the power is thus certainly granted to the board to adjourn to a certain day, or take a recess from day to day to secure returns. And on the question of their "forthwith" canvassing that such direction means the canvass must be completed within such reasonable time as is required to perform the duty enjoined upon the canvassers. Does not pass upon the sufficiency of the purported returns sent in, and in conclusion, that the board not only possessed the power to adjourn to secure proper returns, but that they were fully justified in so doing under the facts dis-

closed in their answer.

Judge Harey concurs with the presiding judge in the finding that the demurrer does not raise the question of jurisdiction, and must be overruled. Holds that the purported returns from Lawrence and Butte counties were not returns, for lack of the official seal of the county, which is necessary to make them such. The law provides for sending a messenger after returns where coun-ties have failed to make returns, and as soon as it was discovered that no returns senger to secure the same. The action of the in the highest degree commendable. establishes a precedent which will tend to insure care on the part of officers and will

JUDGE FULLER'S VIEWS. Judge Fuller takes a different view of the case in the fact that he takes up the argument presented on the demurrer filed by the defendants and holds that the court "ia without jurisdiction of the subject matter." Holds that the departments of governmen each has assigned to it specific and inde-pendent duties, each entirely independent from the influence and control of the other. Quotations are then presented from the Chief Justice Marshall case of Marbury against Madison in the United States su-preme court, which bears on the case, and from Judge Cooley in the case of Sutherland against Governor in 29 Mich., 320, bearing on the power of the court to mandamus the

governor. A duty exclusively intrusted to or en-joined upon either department involves the performance of an official act by that de-partment alone, and no other department has lawful authority or inherent power to

official duty. While cases to the contrary may be found, relating to so-called ministerial duties, the latest widerances of courts and text writers are to the effect that any assumption of judicial power to direct, control or coerce, by mandamus, the official conduct of a chief-wardcutive of a state is without color of authority and a direct encroachment upon the vital principle which separates a so-covernment, of which separates a so-covernment, of which every man is a sovereast, into three great departments and explagsly defines the duties, functions and powers of each.

GOVERNOR'S AUTHORITY.

The authority of the governor to issue

GOVERNOR'S AUTHORITY.

The authority of the governor to issue officially and under the great seal of this state a certificate of election as prima facic evidence of the relativ's rights to an office emanated from the people and is a matter of universal public concern, which they have expressly committed to the chief executive, to the exclusion, of the other two departments of the state.

Courts cannot control the exercise of executive power, and the proposition is elementary that "jurisdiction over subject matter must be given by law; it cannot be conferred by consent of purflex."

The governor, being the sole judge, not only of what his official duries are, but also of the time when they should be performed, is exempt from coercion by mandamus or other judicial process. Mauran against Governor, s.R. L. B2.

The legislature in section 5.517, compiled

The legislature in section 5.517, compiled

laws, provides that the writ of mandamus may be issued by the suprome and district courts to any inferior tribunal. Obviously the executive department of the government is not an inferior tribunal or person, and it is a reasonable inference that the legislature intended to exempt the governor em the coercive influence of mandamus. Independent of the statute, it seems to m hat the better doctrine and safer rule o ractice suggests that this court should de cline to consider the subject matter before it and dimiss the application for the want of jurisdiction to do anything else.

PROTECTING SOUTH DAKOTA GAME

Important Measure to Be Urged Upon the Approaching Legislature. SIOUN FALLS, S. D., Dec. 18 .- (Special.) -Park Davis, a well known lawyer of Sloux Falls and president of the Sioux Falls Gun club has drafted a bill for the protection of game in South Dakota, and an effort will sented to the court, the presiding judge first game in South Dakota, and an effort will quoted section 3, chapter ixxxiv, Laws of be made to secure its pessage. The bill is a drastic one and those who are active in protecting game feel sure that it can be enforced. The bill forbids the shooting of prairie chickens or white breasted or sharp tail grouse between December 1 and August 15; quall, partridge, ruffled grouse or pheasant, between January 1 and October 1; wild duck of any variety, wild goese or brant, snipe or any variety of aquatic foul between May 1 and September 1. The killng of buffalo, elk, deer, antelope or moun tain sheep is prohibited between January 1 and September L. Any kind of a gun except that which is commonly shot from the choulder is barred

The section relative to fish is as follows: It shall be unlawful for any person, at any time, to take, eatch, kill or destroy any fish hereinafter mentioned, except by spear or hook and line on any of the waters of the state, except the Missouri river, or to take, catch or have in possession (except for the purpose of propagation or breeding) any trout, land-locked salmon, salmon trout or longe, between the 1st day of September and the 1st day of May, or any black bass, rock bass, ruskellunge, pike, pickerel, wall-yed pike or perch, between the 1st day of March and the 15th day of May. The use of seine, nets of any kind, explosives or tupifying drugs, traps, etc., is forbidden. The breaking of the law is punishable

fines ranging from \$10 to \$200. In addition to the fine, dogs, guns, traps, nets, etc., shall be confiscated. During the closed season if a person shall be found in the field with dog and gun this shall be presumptive evidence of guilt. The law also provides for the appointment of a game warden it each county, by the governor, who may ap int sub-wardens. The law also makes bligatory upon all hunters to take icense to hunt before going into the field, CONDITION OF THE RANGE CATTLE,

Report of a Stockman as to the Situation in South Dakota.

HURON, S. D., Dec. 48.-(Special.)-A letter from C. K. Howard, one of the best known stockmen on the reservation, dated at Smithville, on the Cheyenne river, says: Extremely cold weather for this time of year, with much snow, makes the situation serious, as very generally on the range serious, as very generaty on the range short feed is the rule. No one storm or severe cold spell causes much loss, as thoroughbred range cattle possess great enthoroughbred range cattle possess great enthoroughbred range cattle possess great enthorough but continued cold with frequent storms, accompanied with heavy snow, gradually destroys their vitality and paves the way for ultimate loss. If there is no let-up to the unusually severe weather we must suffer great loss before spring. If condilons change, and more favorable weather should develop, I do not think any unusual loss will result. The old rule, 'as long as there is life there is hope, applies to cattle out this range, but a too frequent repetition of bad weather will set us affoat, gards the destruction by wolves no unusual loss has resulted this season in that direct ion, but they are at all times very destructive and cause great loss to range stock. During the past three days I have seen the half caten remains of seven cattle

Selling an Inferior Quality of Oil VERMILLION, S. D., Dec. 18.—(Special. -The Standard Oil company is putting some terribly poor oil into this state. Instead of dispensing with the state oil in-spector, as some of the state papers are advocating, there is urgent need of such an officer's presence in every town where Standard oil is used. Complaints from all over the state are numerous and in several places the merchants have banded together in order to fight the trust by patronizing other oil companies. In this city the oil has the color of milk and gives a very poor, dim light. Whether it is explosive or not has not yet been demonstrated, but usually second grade oil is more dangerous than the best. In this city it is causing many to use the electric lights instead of

Double Wedding at Vermillion. VERMILLION, S. D., Dec. 18 .- (Special.)-

very unique double wedding occurred in this city Tuesday evening at the elegant home of J. H. Brady. The united parties are A. Hallam and Miss Ruth Brady and Mr. William Simons and Miss Sadie Brady all of this city. The happy union was made by Rev. J. N. Lee of Sargent Bluffs, Ia. who is a relative of the brides. The wed-ding was private, only the immediate relatives being present. The two young women are sisters and are among the favorites of this city's young people. Mr. Hallam is a leading attorney in this city, and is reputed to be well off in this world's goods. Mr. Simons is a prosperous young farmer, a graduate of the State university, of the lass of 1889. Both of the couples will make their future home in Vermillion.

Not Managing Kyle's Campaign. HURON, S. D., Dec. 18.—(Special.)-Hon, C. Boyd Barrett of Aberdeen has issued a card denying that, he is managing Senator Kyle's campaign for re-election, in which he says: "I have nothing to do with Senator Kyle's campaign other than as a loyal friend and supporter for re-election. If I did not support him as an Aberdeen and Brown county citizen, I would con-sider myself a knave and traitor to the business interests of my city and county. As far as I am able to know the senator has managed his own campaign from the start, without the special aid of any one of his friends, and will, I believe, do it to a successful finish."

Impudent Student Causes a Row. SIOUX FALLS, S. D., Dec. 18.—(Special.) -Martin Olson, a student of the Baptist college, was suspended yesterday for insubordination and impudence, and as he refused to make amends or to give guarantee of better conduct in the future, he was expelled by President J. B. Merideth. Most of the pupils took the part of the student ex-pelled, and about fifty of them marched in a body to the office of Hon. H. H. Keith femanding the reinstatement of Olson, and the retirement of President Merideth. Judge Keith succeeded in persuading the students that they were acting in a hasty and unwarranted manner.

CHAMBERLAIN, S. D., Dec. 18.—(Special Telegram.)-George Scherer, a prominent business man at Oacema, was bound over here today by United States Commissioner Stuart for selling liquor to Indians.

Federal Court Agrees to Postpone Action on the Complaint of Inmates If Their Pensions Are No Longer Interfered With.

DES MOINES, Dec. 18 .- (Special Tele-The trustees of the home appeared before the mails. The case was in federal court. Judge Woolson and asked that the informa- Burnell's paper has for years been engaged tions against them be dismissed. This was in publishing lists of bad debtors and of refused and then a stipulation was agreed to and filed. It provides that the cases shall be postponed indefinitely, but shall cation, but all have failed. Judge Woolremain on the docket so they may be called up at any time.

In consideration of this the trustees cution of the full penalty. Burnell will give up the business and under Judge Woollution amending their rules, so that they shall not hereafter take from inmates any part of their pensions. Further, the trustees shall petition congress for the passage of a law granting to soldiers homes the right to have control in a measure of the pensions of inmates.

In the case the law is not passed then the trustees agree that they will not resume the collection from inmates of any part of their pensions. If the trustees fail

HAVE A BIG FORTUNE IN SIGHT. Complications Under Which a Des

Moines Company Struggles DES MOINES, Dec. 18 .- (Special.)-The Damascus Steel company of this city is in a fair way to make a fortune if it can just find the process for making its steel. The process was discovered by S. R. Dawpenitentiary for the murder of his son-inlaw, Walter Scott. That the process is geruins and of great value metallurgists all agree. Before his troubles began, Dawson organized the company, and was given \$251,000 of his \$500,000 of capital stock. He was to give the company his secret. It was agreed that the formula should be out in detail, proved, and ocked in a bank vault, with a contract by which it could not be taken out except by the joint consent of Dawson and the board of directors of the company. Then Dawson got in trouble and went to prison. The formula is still locked in the vault and he will not consent that it be taken out. In his troubles, he sold enough of the stock so that the control of the company passed out of his hands, but the bank will not vio late the contract by opening the vault. His to compel it to turn the formula over to her; the company is perparing to sue th bank to compel it to disgorge. The stock holders have held several meetings, and are still trying to compromise, with little chance of success. They are the best busi-

ness men in the town, and confidently be-lieve the process of immense value-MISS MARY DRAKE SECRETLY WED.

Daughter of Iowa's Governor Marries George Sturdevant of Centerville. DES MOINES, Dec. 18 .- (Special Telegram.)-The announcement was made today Governor F. M. Drake, and George Sturdevant of Centerville, Ia., were secretly married at Denver, October 28. Miss Drake, as head of the governor's household, has become widely known and popular in Des Moines, and has been reported engaged at different times to at least two prominent tachment between them was well known. supposed she had forgotten the old love and few knew of it, but a correspondence was kept up which resulted in the secret wedding in Denver, almost two months ago. Mr. Sturdevant is not yet established in business, but will enter the banking business at Moravia, Ia. He is a State university of lowa man.

Governor Drake was disposed to be unforgiving when he went to Denver two weeks ago and first met his son-in-law. but since then he has telegraphed both his daughter and son-in-law that they will be expected to join the Drake family remion at the old home in Centerville on Christmas,

EXTENDING AN IOWA RAILROAD.

Keokuk & Western Opens for Business in an Important Combination. DES MOINES, Dec.18.—(Special Telegram.) -A party of Des Moines business men were today taken on a trip over the newly-spened line of the Keckuk & Western through southern Iowa. Another party from Keekuk joined the Des Moines people at Centerville, and a banquet was given the visitors and a reception at Osceola. It was announced during the day that negotiations are practi-cally closed for establishing a through line from the gulf to the lakes. Port Arthur is the gulf port, reached by the Kansas City, Pitteburg & Gulf, which reaches north to Kansas City. From there to this city the connection will be made over the Keckuk & Western, which has already commenced work in this city. From here north the connection will be over the Minneapolis & St. Louis, part of the Rock Island system. This line runs from here to Minneapolis, St. Paul and Duluth. From the Twin Cities it is operated under the name of St. Paul & Duluth. The traffic arrangements are pleted for the complete line.

Secretary of State-Elect for lows

Provoking Trouble. DES MOINES, Dec. 18.—(Special Telegram.)-George L. Dobson, secretary of state-elect, is likely to enter his new office in January with a row on hand. He has in January with a row on hand. He has notified Frank Landers, clerk of the executive council, that A. E. Shipley of Marshalltown will succeed him after January 1.

The other members of the council, the governor, auditor and treasurer, do not like to have Landers discharged, and have delved in the records to prove that the clerk must be confirmed by the full council. They salaries, as the housekeeper was paid only also discover that the clerk is paid out of the miscellaneous expense fund and not from he secretary's clerk hire fund and that the bills cannot be allowed except by the full council. They threaten that if Landers is removed they will not allow the salary, in

of the council, Four Divorce Cases at Creston. CRESTON, Ia., Dec. 18 .- (Special.)-The divorce mill at the coming term of the district court promises to be interesting. Four petitions for divorce were filed yesterday. James A. Downing sets forth these state-ments in his petition: He says he was mar-ried to a widow in October, 1894, at Albion, Neb., and that he has been sorry for it ever since. He says that the widow had five chil dren. The family made it so unpleasant for the old soldier that he was forced to leave and live with relatives. The fancies of wedded life were a delusion, and he wants the court to grant him a divorce and give him such other relief as seems just.

which event the secretary must act as clerk

Alice Morrison doesn't like Jesse any more They were married in Creston in 1889. Morrison was an engineer on the Burlington road, running between Creston and Omaha, and while employed was all right. He lost his situation, and became an habitual drunkard, is accused of mistreating his wife and finally deserting her. She asks for a divorce, custody of two minor children, \$100 temporary and \$1,000 permanent ali-

mony. The brief matrimonial experience of been enough for Maud. She says he mistreated, shamefully abused, accused her of adultery, and made her life unhappy, causing her anguish of mind. She wants \$100 temporary alimony and \$1,000 permanent alimony, and the use of her maiden name. Maud Calhoun. It is understood Albert will

fight the case. Mrs. George Emerson asks for a divorce because of desertion. Her husband left her more than a year ago, and as she has had to make her own living that long she prefers to continue to do so.

PROSCRIBES AN IOWA PUBLICATION.

Given a Juil Sentence. DES MOINES, Dec. 18 .- (Special Telefering for sale bad accounts. have been made heretofore to stop the publi son suspended all the penalty except \$400 fine, with the understanding that a repetibe suppressed.

SIOUX CITY DETECTIVES' EXPOSE.

Assert that They Have Uncarthed a Gang of Murderers. SIOUX CITY, Ia., Dec. 18 .- (Special Telegram.)—Henry Lucas, colored, was arrested zoweit, James Allen, Gus Peterson, Harvey today, charged with burning a building Wagner, John Fields. John Carlson was on and causing the death of John F. Jones some time ago. The building was burned to carry out their agreement in all respects, they will be arrested and tried on the charge of interfering with the administration of pension laws. against him. Now detectives assert that they unearthed the whole plot and find that four men were in it, one being a white man and that the negroes were paid \$10 each for their part. All will be arrested

Let In the Pop. Papers.

CRESTON, Ia., Dec. 18.—(Special.)-After the adjournment of the democratic conference which elected W. T. Davis to suc son, an eccentric genius who is now in the ceed E. W. Curry, the Democratic Press as-Brewster of the Creston Advertiser president and O. E. Hill of the Leon Reporter scoretary. In order to include all free silver papers in the district and admit popocrats, the name of the association changed to the Democratic and Bimetallic Press association of the Eighth district.

Fall to Impliente Sweeney. OTTUMWA, Ia., Dec. 18 .- (Special Tele gram.)-Sheriff Mills of Marshall county came to this city this morning, accompanied by James Matthews, to Identify Dave Sweeney, a tramp held for the murder of Andrew Hart, at Lamoille, Ia., Sunday morning Although the likeness was considered remarkable and the stories told by both mer peculiarly coincident. Mat hews, the only man who saw the real murderer, failed to identify Sweeney, and he was released.

Jailed for Forgery. MISSOURI VALLEY, In., Dec. 18 .- (Spe ial Telegram)-J. E. Hamilton of California is languishing in the city jail tonight harged with obtaining money under false pretenses, having forged the name of W. A. Smith to a check for \$7.85, which was cashed by L. N. Goodrich, a local merchant. He vas on a drick. Hamilton has borne a good

reputation. Fatal Fall Down a Shaft. OTTUMWA, Ia., Dec. 18.—(Special Telegram.)-John Rush, a workman, fell down that Miss Mary Lord Drake, daughter of a mine shaft eighty feet and was instantly killed this evening. He was a single man, 35 years old.

> South Omaha News.

WELLER OF WELLER FOR THE SECRET SERVED TO In the case of Cortelyou against the City of South Omaha, Judge Keysor vesterday decided that the city conucil must make a levy to pay the judgment held by Cortelyou When Miss Drake came here her father against the city. This is a case where Cortelyou purchased the Barlow judgmen which was rendered against the city some years ago and the council neglected to set tle the claim while there was money in the funds for that purpose.

At the time the 1896 levy was made Cortelyou presented his claim to the council and requested that provisions be made for the payment of the judgment he held. The council expended all the money in the judgment fund without satisfying this claim and Cortelyou instituted mandamus proceedings in the district court to compel the council to convene and to make a spe cial levy to pay the same, with results as above stated.

The unsatisfied portion of this judgment aggregates some \$600, together with a large bill of costs and interest for several years. To make this special levy will cost the city quite as much or more as the judgment itself.

CHANGES AT THE HOSPITAL TODAY

Former Housekeeper and Norse Leave to Take Up Other Work. Mrs. Worley, the housekeeper, and Miss Percy, the nurse, at the South Omaha hospital, have resigned and both leave the institution today for more lucrative fields of labor. The institution is in debt to the amount of \$100 and subscription lists are now being circulated among business men in an effort to make up this amount. Unless sufficient money is raised the hospital will have to be closed. The institution has been supported en-tirely by donations and the women who

have had control of affairs have worked hard to keep the institution alive, but owing to the large number of charity patients cared for during the past year this has QUARRELING OVER A CLERKSHIP. been impossible. Last year forty-nine patients were cared for at the hospital; twenty of these paid nothing, ten paid par of their bills and nineteen paid in full. running expenses of the hospital have average \$120 per month, which for the year would amount to \$1,440, thus the expense attached to the keeping of each of the forty-nine patients amounted to \$29.50. depend upon donations from friends. Very \$15 a month, and the nurse \$28. It is understood that when the new nurse and housekeeper commence work they will paid \$25 and \$10 per month, respectively and a saving of \$8 a month will thus be

PIMPLES

It is so because it strikes at the cause of the Clogged, Irritated, Instamed, Singgish, or Overworked PORE.

affected. A meeting of the hospital association ciation will be held next Tuesday afternoon to arrange business matters.

Talk of a New Water Works Contract It was reported on the streets yesterday that the Omaha Water Works company will make an attempt to have the contract with the city of South Omaha annulled and a new one entered into. The present contract has about ten years yet to run and provides for a pressure at the surface of eighty pounds. The water gauge, however, very seldom, if ever, goes above sixty, pounds and according to the self-registering gauge the pressure has not been more than sixty pounds for many months. When the question of abrogating the present conand a new one entered into. The present gram.)—A. S. Burnell, publisher of the Mar-shalltown interstate Tracer, was today sen-tenced to six months in tall and a fine case was settled for the present today.

The trustees of the home appeared before however, was not at that time, nor is it now, on sie in the office of the city clerk.

> Busket Ball Game a Tie The match game of basket ball between the Reds and the Blues of the Young Men's Christian association came off Thursday night according to schedule and resulted in a tie. The game was played in two fifteen minutes halves with seven minutes give up the business and under Judge Woolson's decision all similar publications may physical director of the association, acted as referce and he had to pull hair and kick in order to make the participants play fair. Those who took part in the game were: Reds-Captain, Harvey Mosely, W. Gilehrist, Harry Fenner, R. O. Has-kins, Herbert Broadwell, Charles Robinson, Blues-Captain, William Berry, Otto Radhand for a substitute. The game was very interesting and the sides intend to play off the tie at an early date.

> > Policeman Shot the Horse. Yesterday afternoon a woman called at police beadquarters and reported that a horse in a barn back of the brick block at Twenty-fourth and N streets was very sick and ought to be shot. was sent to look into the matter and found that the animal was owned by a commission man named Lininger and had been lying down in its stall for four days. The policeman shot the horse to get it out

Magle City Gossip. Hiram Hall is on the sick list.

of its misery.

W. C. Shelton of Central City is a visitor

There will be a turkey shoot at Joe Malanders Sunday. Hosel Adams, Twentyfourth and K streets,

s down with dichthehin Stockwell Matthews, an extensive sheep raiser at Sheldon, is in the city. There is a case of scarlet fever at Frank Wallweber's, Twentieth and Missouri avenue. Thomas Keogh was at the yards yesterlay with five cars of cattle from Butte

Mountain, Nev. J. P. Klug, one of Colorado's successful stockmen, was at the yards yesterday attending to some business.

The Schlitz Brewing company yesterday paid into the city treasury the sum of \$2,334.21, which was due on 1896 taxes. High school students are preparing a listened to at a meeting of the society

next Thursday afternoon. Francello G. Jillson, vice president and treasurer of the Rhode Island Mortgage and Trust company, was in the city yesterday, the guest of City Treasurer Broadwell.

Join Pleasure with Business, Haley Fiske, first vice president; George H. Gaston, second vice president; Dr. Thomas Willard, medical director, and B. Thomas Willard, medical director, and B. R. Corwin, superintendent of agencies of the Metropolitan Life Insurance company, of New York, were in the city yesterday. With them were over a hundred of the agents of the company from all portions of the western country, and these were entertained at a dinner at the Millard hotel yesterday. In addition to getting acquainted with each other, the officers and employes of the company joined business with pleasure, and devoted a portion of the afternoon to talking over business.



life, and many a very thing without knowing it. There are thousands of men who decline lives with their money. They are

that they forget their health. The health cannot be trifled with. The body resents neglect. Little disorders become big ones if they are allowed to run on. The man whose digestion is poor, pretty soon finds that he is losing flesh. He doesn't weigh as much as he did. He doesn't realize that he much as he did. He doesn't realize that he is losing vitality; that he is losing strength; that he is losing capacity for work; and that even his brain must of necessity become weaker, if it is not nourished. Loss of flesh means that the whole body is going to wreck. It is fatally easy to run downhill. A man keeps going faster and faster as he goes down. When health begins to leak out, it leaks year fast. The time to ston it is right leaks very fast. The time to stop it is right leaks very last. The time to stop it is right away. The way to stop it is by taking Dr. Pierce's Golden Medical Discovery. It is the greatest tonic and invigorator that was ever prepared. It is the discovery of a practicing physician, eminent and successful in his profession, the head of one of the great est medical institutions in the world. The Invalids' Hotel and Surgical Institute, Buffalo, N. Y. It is an almost infallible cure for consumption, and for all the minor troubles that lead to consumption, chief among these are emaciation and general, bodily debility. The "Discovery" purifies and enriches the blood, invigorates the nerves, stimulates digestion, brings back a healthy appetite, healthy aleep, and a healthy natural action of all the organs of the body. Druggists sell it.

Every man, woman and child in the United Every man, woman and child in the United States ought to have access to a copy of Dr. Pierce's great work, the "People's Common Sense Medical Adviser." The book consists of 1008 pages, and is a complete medical library in one volume. Every one may have a copy, paper-covered, absolutely free, if he will send 21 one-cent stamps, to pay for the cost of mailing only, to the World's Dispensary Medical Association, Buffalo, N.Y. If a handsome, durable French cloth binding is desired, send ten cents additional (thirty-one cents in all). (thirty-one cents in all).

AMUSEMENTS.

BOYD'S TONIGHT | Last Iwe Perfor EDISON New and Perfect Motion Pictures,

VITASCOPE! And Dramatic Company.

Change of View and Play every performance, teserved seats, Sic, 25c and 15c. Matiness, 25c and 15c. Children, 10c. BOYD'S NEW THEATER REGULAR HOUSE Four nights, two matinees, opening SUNDAY MATINEE, DEC. 20. THE AMERICAN GIRL.
R. L. (Bob) Graham
As the Great American Hustler.
Good reserved seats, 25c and 50c.

THE CREIGHTON Paxton & Burjess, Managers.

TODAY AT 2:30 TONIGHT AT 8:15. The Great Scenic Success-NEIL BURGESS'

THE COUNTY FAIR "Better than Prices-25c, 50c, 75c, \$1.00. Matines-25c and 50c. Dec. 22-23-"THE LADY SLAVEY."

HOTELS.

BARKER HOT EL. THIRTEENTH AND JONES STREETS. 140 rooms, baths, steam heat and all modern conveniences. Rates, \$1.50 and \$2.00 per day. Table unexcelled. Special low rates to regular POANY HILLITCH, Mar. FRANK HILDITCH, Mgr.